The statute in Virginia presumably does not enlarge the common law in this respect. Va. Code, 1919, § 5134. No case on this point seems to have arisen.

MARRIAGE—INDIANS—VALIDITY OF MARRIAGE OF INDIAN WHO HAS GIVEN UP TRIBAL RELATIONS GOVERNED BY LAW OF STATE IN WHICH HE RESIDES.—The deceased, an Indian, while still affiliated with his tribe, married A in accordance with tribal customs. Several years later he applied to the Land Board for an allotment of homestead under a federal statute requiring, as a condition precedent to such allotment, satisfactory proof of abandonment of tribal relationships. The allotment was granted. Shortly afterwards A, following tribal laws and customs, divorced the deceased and married another man. Thereupon the decedent entered into a tribal marriage with B, with whom he cohabited until his death. Upon the decedent's death both A and B claimed to share in his estate as his widow. *Held*, A was entitled to the widow's share. *In re Wo-gin-up's Estate* (Utah), 192 Pac. 267.

It is the uniform holding of the courts that, so long as Indians maintain their tribal relations, the courts will recognize the tribal customs prevailing and administered by such tribes, especially respecting their domestic relations. *James* v. *Adams*, 56 Okla. 450, 155 Pac. 1121; *Wali* v. *Williamson*, 8 Ala. 48; *Kobogum* v. *Jackson Iron Co.*, 76 Mich. 498, 48 N. W. 602. In every such case the courts, in upholding a marriage or divorce contrary to the laws of the land, made the same dependent upon the fact that at the time of such marriage or divorce the parties retained their tribal relatins. *Moore* v. *Wa-me-go*, 72 Kan. 169, 83 Pac. 400; *Oklahoma Land Co.* v. *Thomas*, 34 Okla. 681, 127 Pac. 8; *Boyer* v. *Dively*, 58 Mo. 510. But where an Indian has abandoned his tribal relations he ceases to be subject to the laws and customs of his tribe, and becomes subject to the laws of the State or Territory in which he resides. *Moore* v. *Wa-me-go, supra; In re Now-ge-zhuck*, 69 Kan. 410, 76 Pac. 877; *Matter of Heff*, 197 U. S. 488. The case last cited upholds the power of Congress to change the status of the Indian from that of ward to that of citizen by appropriate legislation.

Act of Congress March 3, 1875, c. 131, § 15 (Comp. Stat. § 4611) providing for allotments of land to Indians, makes satisfactory proof before the Land Board of abandonment of tribal relations a condition precedent to such allotment. The decision of the Land Department as to the existence of facts necessary for, or the performance of conditions precedent to, a lawful exercise of their authoirty, is conclusive and cannot be collaterally impeached in an action at law. *Smelting Co.* v. *Kemp*, 104 U. S. 636; *Vance* v. *Burbank*, 101 U. S. 514; *Bagnell* v. *Broderick*, 13 Pet. 436. It seems to follow that the allotment of lands to an Indian under this act is conclusive proof that the Indian has severed his tribal relations, and so it was held in the instant case.

MARRIAGE—UNCLE AND NIECE OF THE HALF BLOOD—NOT INCESTUOUS.—In an action for divorce brought by the wife, it was alleged by the defendant that the marriage was void, being in violation of a statute which